

Draft Guidance on the Application of Executive Order 13112 to Deployment and In-Situ Monitoring Studies in the Ecological Exposure Research Division.

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On February 3, 1999, Executive Order 13112 was signed establishing the National Invasive Species Council. The Executive Order requires that a Council of Departments dealing with invasive species be created. Currently there are 10 Departments and Agencies on the Council.

From Executive Order (EO) 13112:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (16 U.S.C. 4701 et seq.), Lacey Act, as amended (18 U.S.C. 42), Federal Plant Pest Act (7 U.S.C. 150aa et seq.), Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2801 et seq.), Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), and other pertinent statutes, to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause.

In compliance with EO 13112, the National Exposure Research Laboratory, Ecology Exposure Research Division will not deploy or conduct *in-situ* tests with animals or plants that are not native to or have not been previously established in any watershed that they will conduct research on. To accomplish this task, as part of any research strategy, research plan or workplan, watersheds in which deployed or *in-situ* research will be conducted, a section will be prepared titled: "Review and documentation of compliance with Executive Order 13112, on activities related to the potential introduction on non-native species."

This section will include a determination that the species that will be used in deployment or *in-situ* testing is native to that watershed. In addition, this section will include what was used to make such a determination and documentation that supports the determination. The documentation must show how the following EO definitions and requirements will be achieved:

- 1) The research activity will ensure that "introduction, intentional or unintentional escape, release, dissemination, or placement of a non-native species into an ecosystem will not occur."
- 2) Prevent the inadvertent introduction or spread of invasive species (including pathogens) from places where they are present. [this means decontamination for field crews]
- 3) Demonstrate "planning and action at local, tribal, State, regional, and ecosystem-based levels to achieve the goals and objectives of the Management Plan in section 5 of this order, in cooperation with stakeholders and existing organizations " to prevent the spread of invasive species.